

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 18-3505

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ERNEST PORTER,  
Appellant

v.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS; JOHN E. WETZEL,  
Secretary for Department of Corrections; ROBERT GILMORE; Super. for SCI  
Greene

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civ. Action No. 2-17-cv-000763)  
Magistrate Judge: Hon. Maureen P. Kelly

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Argued October 22, 2019

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Before: GREENAWAY, JR., PORTER and COWEN, *Circuit Judges.*

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JUDGMENT

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This cause came to be considered on the record of the United States District Court for the Western District of Pennsylvania and was submitted on October 22, 2019. On consideration whereof, it is now hereby ORDERED and ADJUDGED by this Court that the judgment of the District Court entered on November 8, 2018 is AFFIRMED IN PART and REVERSED AND REMANDED IN PART. No costs shall be taxed. All of the above in accordance with the Opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit  
Clerk

Dated: September 1, 2020